UNITED NATIONS

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Security Council

Distr.
GENERAL

S/AC.26/Dec.77 (1999)
30 September 1999

Original: ENGLISH

UNITED NATIONS
COMPENSATION COMMISSION
GOVERNING COUNCIL

Decision concerning the second instalment of "E4" claims taken by the Governing Council of the United Nations Compensation Commission at its 90th meeting, held on 30 September 1999 at Geneva

The Governing Council,

Having received, in accordance with article 38 of the Provisional Rules for Claims Procedure, the report and recommendations made by the panel of Commissioners concerning the second instalment of "E4" claims, covering three hundred and eighty-one claims, 1/

Having received an information note dated 8 September 1999 from the secretariat stating that, in paragraph 71 of the report, the Panel considered that the claimed relief payments were in the nature of "on-going ordinary living" payments and expenses and not of a "temporary and extraordinary" nature,

Recalls that paragraph 22 of decision 7 of the Governing Council permits the payment of claims for "payments made or relief provided by corporations or other entities to others ... for losses covered by any of the criteria adopted by the Council" with no distinction made between payments made or relief provided as a result of contractual obligations or otherwise,

1. Approves the recommendations made by the panel of Commissioners, and, accordingly,

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1/ The text of the report appears in document S/AC.26/1999/17.

2. Decides, pursuant to article 40 of the Rules, to approve the amounts of the recommended awards concerning the claims covered in the report. The aggregate amount awarded, as noted in annex I of the report, is as follows:

Country	Number of claims recommended for payment	Number of claims not recommended for payment	Amount of compensation claimed (US$)	Amount of compensation recommended (US$)
Kuwait	139	242	561,571,315	119,900,072

3. Reaffirms that when funds become available payments shall be made in accordance with decision 73 (S/AC.26/Dec.73 (1999)),

4. Recalls that when payments are made in accordance with decision 73 (S/AC.26/Dec.73 (1999)) and pursuant to the terms of decision 18 (S/AC.26/Dec.18 (1994)), Governments shall distribute amounts received to the designated claimants in respect of approved awards within six months of receiving payment, and shall, not later than three months after the expiration of this time limit, provide information on such distribution,

5. Requests the Executive Secretary to provide a copy of the report to the Secretary-General, to the Government of the Republic of Iraq and to the Government of the State of Kuwait.